

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROSEMARIE NOVAK,)	NO. CV-04-0351-MWL
)	
Plaintiff,)	ORDER GRANTING JOINT
)	MOTION FOR ORDER OF REMAND
vs.)	
)	
JO ANNE B. BARNART,)	
Commissioner of Social)	
Security ,)	
)	
Defendant.)	
_____)	

The parties have jointly moved the Court for an Order remanding the case for further proceedings. (Ct. Rec. 25.)

Based on the stipulation of the parties and the record herein, the Court **GRANTS** the joint motion for remand. The case is hereby **ORDERED REVERSED and REMANDED** for further proceedings under sentence four of 42 U.S.C. § 405(g). On remand, an administrative law judge will:

1. Offer Plaintiff the opportunity for another hearing.
2. Re-evaluate the severity of Plaintiff's mental impairment, using the technique in 20 C.F.R. §§ 404.1520a, 416.920a, discussing any conflicting medical evidence.

1 3. Re-evaluate the opinions of the medical expert (Robert
2 Klein, Ph.D.), of William Bronson, M.D., and of Dennis Pollack,
3 Ph.D., along with the other medical evidence of record, explaining
4 the resolution of any ambiguities or conflicts in the evidence.

5 4. Further evaluate Plaintiff's drug and alcohol abuse.

6 5. The Commissioner will consider Plaintiff's application for
7 reasonable attorney fees and costs, pursuant to the Equal Access
8 to Justice Act, 28 U.S.C. § 2412.

9 **DATED** this 21st day of June, 2005.

10 s/ Michael W. Leavitt

11 MICHAEL W. LEAVITT
12 UNITED STATES MAGISTRATE JUDGE

13 Presented by:

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